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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In re Google Play Store Antitrust Litigation
Epic Games, Inc. v. Google LLC et al.

Cases Nos.

3:21-md-02981-JD
3:20-cv-05671-JD

**DECLARATION OF KYU SUNG LEE
PURSUANT TO N.D. CAL. LOCAL RULE
79-5(f)(3) TO REQUEST SEALING OF
SELECT TRIAL EXHIBITS**

Judge: Hon. James Donato

DECLARATION OF KYU SUNG LEE

I, Kyu Sung Lee, declare as follows:

1. I am an Executive Vice President at Samsung Electronics Co., Ltd. with responsibility for Global Legal Affairs. I have been employed at Samsung since 2001, and in the course of my employment have become familiar with Samsung's treatment of its trade secrets and other proprietary business information, such as those discussed in this declaration.

7 2. I understand that late in the evening on November 11, 2023, Plaintiff Epic Games,
8 Inc. disclosed that on November 14 2023, it would be using the following exhibits during trial in
9 the above-captioned actions: Exhibits 784, 1378, 1380, 1382 (“Samsung-Related Exhibits”).
10 Certain pages of the Samsung-Related Exhibits contain Samsung’s sensitive, confidential
11 information. I make this declaration on behalf of Samsung pursuant to Northern District of
12 California Civil Local Rule 79-5(f)(3) to respectfully request that select pages of the Samsung-
13 Related Exhibits be sealed from the public during trial. I know the facts stated herein based on my
14 own personal knowledge and, if called as a witness, I could and would testify competently thereto.

15 3. **Exhibit 784:** Page 2 of Exhibit No. 784 contains sensitive, confidential information
16 of Samsung that should remain under seal. Specifically, the exhibit is an email chain between
17 Google and Samsung executives concerning discussion of potential contract terms between Google
18 and Samsung, various proposals on the parties' app distribution, and the parties' efforts to coordinate
19 business strategies. It is Samsung's practice to maintain as confidential the details of its business
20 relationships with its partners and their discussions on strategy. Samsung would be competitively
21 disadvantaged if such materials were made public. Samsung's sealing request is narrowly tailored
22 to just one page of this exhibit.

23 4. **Exhibit 1378:** Pages 2-5 of Exhibit No. 1378 contain sensitive, confidential
24 information of Samsung that should remain under seal. Specifically, the exhibit is an email chain
25 between Google and Samsung executives concerning the negotiation and interpretation of contract
26 terms between Google and Samsung. It is Samsung's practice to maintain as confidential the details
27 of its business relationships with its partners and related discussions. Samsung would be
28 competitively disadvantaged if such materials were made public. Samsung's sealing request is

1 | narrowly tailored to just a few pages of this exhibit.

2 5. **Exhibit 1380:** Page 1 of Exhibit No. 1380 contains sensitive, confidential
3 information of Samsung that should remain under seal. Specifically, the exhibit is an email chain
4 between Google and Samsung executives concerning the launch of Samsung's app store, and the
5 terms of Samsung's business relationship with Google, as well as discussions of forward looking
6 strategy. It is Samsung's practice to maintain as confidential the details of its business relationships
7 with its partners and their discussions on strategy. Samsung would be competitively disadvantaged
8 if such materials were made public. Samsung's sealing request is narrowly tailored to just one page
9 of this exhibit.

10 6. Exhibit 1382: Pages 17, 22, and 35 of Exhibit No. 1382 contain sensitive,
11 confidential information of Samsung that should remain under seal. Specifically, the exhibit is a
12 slide presentation concerning Samsung’s ad revenue, changes and projected changes to that revenue,
13 Samsung’s go-forward business strategy and goals, as well as a summary of the financial terms of
14 the “Samsung-Google relationship.” It is Samsung’s practice to maintain as confidential the terms
15 of its business relationships with its partners, including revenue, projected revenue, and related
16 strategy. Samsung would be competitively disadvantaged if such materials were made public.
17 Samsung’s sealing request is narrowly tailored to just three pages of this exhibit.

19 I declare under penalty of perjury of the laws of the United States of America that the
20 foregoing is true and correct. This declaration was executed this 12th day of November 2023, in
21 *Seoul, Korea.* *✓✓✓*


Kyu Sung Lee

Kyu Sung Lee